

LEGAL NOTICE
STATE OF OHIO
DEPARTMENT OF NATURAL RESOURCES
NOTICE OF INTENTION TO AMEND AND HOLD A PUBLIC HEARING ON
COAL MINING RULES AND INDUSTRIAL MINERALS SURFACE MINING RULES

The Chief of the Division of Mineral Resources Management, pursuant to sections 1513.02, 1513.07, 1513.072, 1514.02, 1514.08, 1514.081, and 1514.40 and Chapter 119. of the Revised Code, hereby gives notice of his intention to amend the following coal mining rules and industrial minerals surface mining rules:

- 1501:13-1-14 Incorporation by reference.
- 1501:13-4-03 Permit applications; requirements for legal, financial, compliance and related information.
- 1501:13-4-07 Annual reports and maps.
- 1501:13-5-01 Review, public participation, and approval or disapproval of permit applications and permit terms and conditions.
- 1501:13-13-02 Auger mining additional performance standards.
- 1501:14-1-16 Incorporation by reference.
- 1501:14-2-01 Incorporation by reference of mine safety standards.
- 1501:14-6-01 Permit application requirements for the beneficial use of lime mining wastes (LMW) within an industrial minerals permit.
- 1501:14-6-02 Distance limitations on the placement of LMW.

The reasons for amending these rules are the following:

- To comply with the five-year-review requirements of section 106.03 of the Revised Code.
- To remove the requirement that a resident agent's tax ID number or the last four digits of a resident agent's SSN be provided in a coal mining application.
- To correct a paragraph reference.
- To revise the "History Trail" for two coal rules, which will add a section of statute to the list of laws that the rule amplifies.
- To update the publication dates of the Code of Federal Regulations and the United States Code and to update the Government Printing Office website.
- To update information related to leachate analysis for an industrial minerals surface mining permit application that includes the beneficial use of lime mining wastes.
- To clarify the unit of measurement to be used when providing surface elevation information in an industrial minerals surface mining permit application that includes the beneficial use of lime mining wastes.
- To make several small grammatical corrections and clarifications.

A public hearing on the proposed rule amendments will be held at 9:00 a.m. on Thursday, October 15, 2020. This public hearing will be a virtual meeting, using Microsoft Teams. At the public hearing, any person affected by the proposed rule amendments may appear and be heard in person, or by the person's attorney, or both, and may present the person's positions, arguments, or contentions, orally or in writing, offer and examine witnesses, and present evidence tending to show that the proposed rule amendments, if adopted, will be unreasonable or unlawful.

Written positions, arguments, or contentions regarding these proposed rule amendments may also be submitted to the Division of Mineral Resources Management at the address below or to the following e-mail address: minerals.rules@dnr.state.oh.us. Such written positions, arguments, or contentions must be post-marked or e-mailed by October 16, 2020.

Here is the contact information for the virtual meeting:

Join Microsoft Teams Meeting

+1 614-721-2972 United States, Columbus (Toll)
Conference ID: 588 303 922#

Copies of the proposed rule amendments are available on the Register of Ohio website, <http://www.registerofohio.state.oh.us/>.

Copies will also be posted under the "JCARR Review and Public Comment" tab on this Ohio Department of Natural Resources website page:

<https://ohiodnr.gov/wps/portal/gov/odnr/rules-and-regulations/rule-changes/proposed-rule-changes/Mineral-Resources-proposed-rule-changes>. For persons who do not have access to the Internet, copies of the proposed rule amendments are available from the Ohio Department of Natural Resources, Division of Mineral Resources Management, 2045 Morse Road, Building H-2, Columbus, Ohio 43229. If you have any questions, please call the Division of Mineral Resources Management at (614) 265-6633.